



Rep. Kenneth Dunkin

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09700HB1265ham002

LRB097 05448 CEL 53107 a

1 AMENDMENT TO HOUSE BILL 1265

2 AMENDMENT NO. _____. Amend House Bill 1265 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Community Association Manager Licensing
5 and Disciplinary Act is amended by changing Section 65 as
6 follows:

7 (225 ILCS 427/65)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 65. Fees; Community Association Manager Licensing and
10 Disciplinary Fund.

11 (a) The fees for the administration and enforcement of this
12 Act, including, but not limited to, initial licensure, renewal,
13 and restoration, shall be set by rule of the Department. The
14 fees shall be nonrefundable.

15 (b) In addition to the application fee, applicants for the
16 examination are required to pay, either to the Department or

1 the designated testing service, a fee covering the cost of
2 determining an applicant's eligibility and providing the
3 examination. Failure to appear for the examination on the
4 scheduled date, at the time and place specified, after the
5 applicant's application and fee for examination have been
6 received and acknowledged by the Department or the designated
7 testing service, shall result in the forfeiture of the fee.

8 (c) To support the costs of administering this Act, all
9 community associations that (i) are subject to this Act by
10 having ~~have~~ 10 or more units, (ii) retain an individual to
11 provide services as a community association manager for
12 compensation, (iii) are not master associations under Section
13 18.5 of the Condominium Property Act or the Common Interest
14 Community Association Act, and (iv) are registered in this
15 State as not-for-profit corporations shall pay to the
16 Department an annual fee of \$50 plus an additional \$1 per unit,
17 but shall not exceed an annual fee of \$1,000 for any community
18 association. The Department may establish forms and promulgate
19 any rules for the effective collection of such fees under this
20 subsection (c).

21 The Secretary of State shall collect the licensing fees
22 from qualifying associations with an annual report required for
23 not-for-profit corporations. Any qualifying not-for-profit
24 corporation in this State that fails to pay in full to the
25 Department all fees owed under this subsection (c) shall be
26 subject to the penalties and procedures provided for under

1 Section 92 of this Act.

2 (d) All fees, fines, penalties, or other monies received or
3 collected pursuant to this Act shall be deposited in the
4 Community Association Manager Licensing and Disciplinary Fund
5 and shall not be subject to withdrawal or use for any purpose
6 other than the administration of the Community Association
7 Manager Licensing Program, including a fund to protect the
8 financial interests of community associations.

9 (e) Four years after the date of the final adoption of
10 rules under this Act, and every 2 years thereafter, the
11 Secretary and the Board shall review the number of licenses and
12 the amount collected from community associations and make any
13 necessary adjustment of the fees for both licensees and
14 community associations subject to this Act, as recommended by
15 the Board, to equal the costs of administration for the
16 licensing program. Following the completion of the initial and
17 all subsequent fee adjustments, prospective and current
18 community association manager licensees and community
19 associations subject to this Act shall share the administration
20 costs as recommended by the Board and determined by the
21 Department.

22 (f) On or before December 31, 2014, the Department shall
23 prepare a report that shall be filed with the General Assembly
24 and that shall be made publicly available. The report shall
25 examine all of the Department's costs to enforce the provisions
26 of this Act and shall include, but not be limited to, the

1 following information:

2 (1) the total number of licenses issued under this Act;

3 (2) a description of the fees that were generated by
4 the Department in enforcing this Act;

5 (3) a description of the Department's costs in
6 administering and enforcing this Act; and

7 (4) a description of the enforcement actions taken by
8 the Department under this Act.

9 (Source: P.A. 96-726, eff. 7-1-10.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."